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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92024108
Party	Plaintiff Galleon S.A., Bacardi-Martini U.S.A. and Bacardi & Company Limited
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Date	11/11/2013
Attachments	Response to Oct-10-2013 Order.pdf(30433 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

GALLEON S.A.,  
BACARDI-MARTINI U.S.A., INC., and  
BACARDI & COMPANY LIMITED,  
Petitioners,

-against-

HAVANA CLUB HOLDINGS, S.A. and  
EMPRESA CUBANA EXPORTADORA  
DE ALIMENTOS Y PRODUCTOS  
VARIOS, S.A. D/B/A CUBAEXPORT,  
Respondents.

Cancellation No. 92024108

**RESPONSE TO OCTOBER 10, 2013 ORDER**

Petitioners submit this response to the Board's October 10, 2013 order. Civil Action No. 1:04-CV-00519 (the "Civil Action") remains pending in the United States District Court for the District of Columbia. On August 4, 2008, the United States District Court for the District of Columbia entered an order staying further proceedings in the Civil Action pending appeal of the USPTO's August 3, 2006 order canceling Reg. No. 1,031,651 for the mark HAVANA CLUB. A status report pertaining to the Civil Action is due on April 3, 2014. Accordingly, there has been no final resolution of the Civil Action, and this proceeding should remain suspended.

Dated: New York, New York  
November 11, 2013

KELLEY DRYE & WARREN LLP  
Attorneys for Petitioners

By William R. Golden, Jr.  
William R. Golden, Jr.  
101 Park Avenue  
New York, New York 10178  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing RESPONSE TO OCTOBER 10, 2013 ORDER has been served upon registrant's attorney, Herbert Schwartz, Fish & Neave IP Group, Ropes & Gray LLP, 1211 Avenue of the Americas, New York NY 10036, the address designated by said attorney for that purpose by depositing a true copy thereof with the United States Postal Service as first class mail on November 11, 2013.

Dated: November 11, 2013

  
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Amy Gaven